

**COUNTY COUNCIL
OF
HOWARD COUNTY, MARYLAND**

2007 Legislative Session

**Legislative Day No. 15
December 3, 2007**

HOWARD COUNTY TO WIT:

The Chairman called the session to order at 7:35 p.m.

Calvin Ball, Chairperson; Courtney Watson, Vice Chairperson; Greg Fox, Council Member; Mary Kay Sigaty, Council Member; and Jennifer Terrasa, Council Member, were present.

Sheila Tolliver; Administrator to the County Council; Margaret Nolan, County Solicitor; Jim Vannoy, Office of Law; and Jennifer Sager, Legislative Coordinator, were also present.

ELECTION OF OFFICERS

The election of County Council Officers, to serve from December 2007 to December 2008, was as follows:

Chairperson – Calvin Ball nominated Courtney Watson for Chairperson of the Howard County Council. His motion was seconded by Jennifer Terrasa.

The roll call vote called by Ms. Tolliver was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The nomination of Council Member Watson for Chairperson of the Howard County Council passed.

Vice Chairperson – Courtney Watson nominated Mary Kay Sigaty for Vice Chairperson of the Howard County Council. Her motion was seconded by Greg Fox.

The roll call vote called by Ms. Tolliver was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The nomination of Mary Kay Sigaty for Vice Chairperson of the Howard County Council passed.

Zoning Board Chair Person – Mary Kay Sigaty nominated Jennifer Terrasa for Chairperson of the Zoning Board. Her motion was seconded by Calvin Ball.

The roll call vote called by Ms. Tolliver was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The nomination of Jennifer Terrasa for Chairperson of the Zoning Board passed.

Zoning Board Vice Chairperson – Greg Fox nominated Calvin Ball for Vice Chairperson of the Zoning Board. His motion was seconded by Courtney Watson.

The roll call vote called by Ms. Tolliver was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The nomination of Calvin Ball for Vice Chairperson of the Zoning Board passed.

Liquor Board Chairperson – Mary Kay Sigaty nominated Greg Fox for Chairperson of the Board of License Commissioners. Her motion was seconded by Courtney Watson.

The roll call vote called by Ms. Tolliver was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The nomination of Greg Fox for Chairperson of the Liquor Board passed.

Liquor Board Vice Chairperson – Jennifer Terrasa nominated Mary Kay Sigaty for Vice Chairperson of the Board of License Commissioners. Her motion was seconded by Calvin Ball.

The roll call vote called by Ms. Tolliver was: Yea: Council Members Watson, Ball, Fox, Sigaty, and Terrasa.

The nomination of Mary Kay Sigaty for Vice Chairperson of the Board of License Commissioners passed.

COUNCIL APPOINTMENTS

The Chairperson announced the following County Council appointments, effective December 2007 to December 2008:

Maryland Association of Counties Legislative Committee – Jen Terrasa

Alternate – Calvin Ball

Baltimore Metropolitan Council Advisory Committee – Greg Fox

APPROVE JOURNAL

The Chairperson moved to approve the journal for Legislative Day No. 14, November 5, 2007. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson to approve the journal was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve the journal passed.

APPROVE MINUTES

The Chairperson moved to approve the minutes of the Legislative Public Hearing on November 19, 2007 and the Legislative Work Session on November 26, 2007. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson to approve the minutes was: Yea: Council Members Ball, Fox, Sigaty, Terrasa and Watson.

The motion to approve the minutes passed. (See attached.)

Council Resolution No. 127-2007 – Introduced by Chairperson - Appointing Michelle D. James to the Board of Appeals of Howard County, Maryland, for a term ending on December 31, 2013

Council Resolution No. 131-2007 – Introduced by Chairperson - Confirming the appointment of the members of the horse park task force

The Chairperson moved to remove Council Resolution No. 131-2007 and Council Resolution No. 127-2007 from the consent agenda as published to allow consideration of amendments. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion to remove the resolutions from the consent agenda passed.

INTRODUCTION

The following legislation is introduced by the Chairperson at the request of the County Executive unless otherwise noted:

Appointments

Council Resolution No. 139-2007 - Confirming the appointment of Kristen Perry to the Public Ethics Commission.

A RESOLUTION confirming the appointment of Kristen Perry to the Public Ethics Commission.

Council Resolution No. 140-2007 - Confirming the appointment of Anne Santos to the Alcoholic Beverage Hearing Board.

A RESOLUTION confirming the appointment of Anne Santos to the Alcoholic Beverage Hearing Board.

Council Resolution No. 141-2007 - Confirming the appointment of Celeste Wooten to the Howard County Board of Directors of the Revenue Authority.

A RESOLUTION confirming the appointment of Celeste Wooten to the Howard County Board of Directors of the Revenue Authority.

Financial

Supplementary Budget & Appropriation Ordinance No. 4-Fiscal 2008 - Transferring \$10,000 from the Grants Fund, Contingency Reserve to the Department of Public Works for the Noxious Weeds Program

AN ACT transferring \$10,000 from the Grants Fund, Contingency Reserve to the Department of Public Works for the Noxious Weeds Program.

Supplementary Budget & Appropriation Ordinance No. 5-Fiscal 2008 - Transferring \$100,000 from the Grants Fund, Contingency Reserve to the Department of County Administration, Office of Workforce Development, for a Base Realignment and Closure grant

AN ACT transferring \$100,000 from the Grants Fund, Contingency Reserve to the Department of County Administration, Office of Workforce Development, for a Base Realignment and Closure grant.

General

Council Bill No. 81-2007 – Substituting the term “tenant housing” with the term “farm tenant house” to be consistent with the Howard County Zoning Regulations; adding certain definitions; amending criteria for easements that may be donated to the County; clarifying certain rights related to dwellings permitted on land subject to an easement; amending the duties of the Agricultural Land Preservation Board; and generally relating to agricultural land preservation in Howard County

AN ACT substituting the term “tenant housing” with the term “farm tenant house” to be consistent with the Howard County Zoning Regulations; adding certain definitions; amending criteria for easements that may be donated to the County; clarifying certain rights related to dwellings permitted on land subject to an easement; amending the duties of the Agricultural Land Preservation Board; and generally relating to agricultural land preservation in Howard County.

Council Bill No. 82-2007 – Amending the Pay Plan for Howard County; establishing a separate pay schedule for employees in the Sheriff’s Office; amending the pay grades for employees in the Sheriff’s Office; amending the classification title for Planning Specialist III; adding certain child care classification titles within the Department of Recreation and Parks; amending the pay grade for Recreation Services Supervisor; providing for the application of this Act; and generally relating to the Pay Plan for Howard County

AN ACT amending the Pay Plan for Howard County; establishing a separate pay schedule for employees in the Sheriff’s Office; amending the pay grades for employees in the Sheriff’s Office; amending the classification title for Planning Specialist III; adding certain child care classification titles within the Department of Recreation and Parks; amending the pay grade for Recreation Services Supervisor; providing for the application of this Act; and generally relating to the Pay Plan for Howard County.

Council Bill No. 83-2007 – Amending the Classification Plan for Howard County by adding class descriptions for the positions of Child Care Site Director, Child Care Assistant Site Director, Child Care Group Leader, and Child Care Assistant Group Leader within the Department of Recreation and Parks; amending the class title and description for Planning Specialist III; and generally relating to amendments to the Howard County Classification Plan

AN ACT amending the Classification Plan for Howard County by adding class descriptions for the positions of Child Care Site Director, Child Care Assistant Site Director, Child Care Group Leader, and Child Care Assistant Group Leader within the Department of Recreation and Parks; amending the class title and description for Planning Specialist III; and generally relating to amendments to the Howard County Classification Plan.

Council Bill No. 84-2007 – Amending the Capital Budget Detail for Fiscal Year 2008 for Capital Project C-0282, Government Service Campus, to add that the project may be used to acquire certain space and to remove certain language

AN ACT amending the Capital Budget Detail for Fiscal Year 2008 for Capital Project C-0282, Government Service Campus, to add that the project may be used to acquire certain space and to remove certain language.

Council Resolution No. 142-2007 – Authorizing the County Purchasing Agent to waive the formal competitive bidding requirements of Title 4, Subtitle 1 of the Howard County Code in order to enter into a contract with TC MidAtlantic Development, Inc. for the construction of certain road improvements along Montevideo Road and authorizing certain cost sharing

A RESOLUTION authorizing the County Purchasing Agent to waive the formal competitive bidding requirements of Title 4, Subtitle 1 of the Howard County Code in order to enter into a contract with TC MidAtlantic Development, Inc. for the construction of certain road improvements along Montevideo Road and authorizing certain cost sharing.

Council Resolution No. 143-2007 – Endorsing the filing of an application with the Maryland Transit Administration of the Maryland Department of Transportation for grants under Sections 5307, 5309, 5311, 5316 and 5317 of the Federal Transit Act

A RESOLUTION endorsing the filing of an application with the Maryland Transit Administration of the Maryland Department of Transportation for grants under Sections 5307, 5309, 5311, 5316 and 5317 of the Federal Transit Act.

Council Resolution No. 144-2007 – Introduced by: Ball/Co-spon. by Sigaty - Reviving the task force to study the senior property tax credit.

A RESOLUTION reviving the task force to study the senior property tax credit.

FINAL CONSIDERATION

The Chairperson moved to adopt the following legislation:

Consent

Council Resolution No. 128-2007 – Confirming the appointment of Kari Appler to the Board of Health

Council Resolution No. 129-2007 – Confirming the appointment of Christopher J. Merdon to the Howard County Board of Directors of the Revenue Authority

The Chairperson moved to adopt Council Resolutions No. 128-2007 and No. 129-2007. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolutions was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 128-2007 and Council Resolution No. 129-2007 passed.

Appointments

Council Resolution No. 127-2007 – Introduced by Chairperson - Appointing Michelle D. James to the Board of Appeals of Howard County, Maryland, for a term ending on December 31, 2013

The Chairperson moved to adopt Council Resolution No. 127-2007. Her motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 127-2007 as follows: *(This amendment would correct the term expiration date throughout the resolution).*

On the title page, in line 2 of the title, strike “2013” and substitute “2012”.

On page 1, in line 17, strike “2013” and substitute “2012”.

Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Resolution No. 127-2007 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 127-2007 passed as amended.

Council Resolution No. 130-2007 – Confirming the appointment of Laura Smit to the Alcohol & Drug Abuse Advisory Board

The Chairperson moved to table Council Resolution No. 130-2007. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion to table Council Resolution No. 130-2007 passed.

Council Resolution No. 131-2007 – Introduced by Chairperson - Confirming the appointment of the members of the horse park task force

The Chairperson moved to adopt Council Resolution No. 131-2007. Her motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 131-2007 as follows: *(This amendment adds members to the horse park task force.)*

On page 1, in line 32, insert:

“Kimberly Flowers
Howard County Department of Planning and Zoning

Clara Gouin
Howard County Department of Recreation and Parks

Joan Kennedy
Howard County Office of the County Executive

Dr. Fred Lewis
6005 Ten Oaks Road
Clarksville, MD 21029

Michael Potts
12562 Folly Quarter Road
Ellicott City, MD 21042

Kathy Zimmerman
6751 Columbia Gateway Drive, Suite 500
Columbia, MD 21046”.

Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Resolution No. 131-2007 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 131-2007 passed as amended.

Financial

Council Bill No. 75-2007 – Providing for the issuance of up to \$150,000,000 Howard County, Maryland Consolidated Public Improvement Refunding Bonds and up to \$25,000,000 Howard County, Maryland Metropolitan District Refunding Bonds; providing that such bonds shall be general obligations of the County; providing for the disbursement of the proceeds of such bonds and the levying of taxes to pay debt service on such bonds; providing for the private (negotiated) sale of such bonds; providing for an escrow deposit agreement and a continuing disclosure agreement

The Chairperson moved to adopt Council Bill No. 75-2007. Her motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 75-2007 as follows: (See attached.)

Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Bill No. 75-2007 passed.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 75-2007 passed as amended.

General

Council Bill No. 76-2007 – Amending the term of the County property tax credit for surviving spouses of emergency workers; amending a definition; clarifying the timing for filing an application for the credit; and generally relating to County property tax credits for surviving spouses of emergency workers in Howard County

The Chairperson moved to adopt Council Bill No. 76-2007. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 76-2007 passed.

Council Bill No. 77-2007 – Introduced by The Chairperson at the request of the County Executive at the request of the Board of Elections - Removing a provision in the Howard County Code that prohibits paying individuals to secure signatures on a petition to bring a law to referendum; and generally relating to referenda in Howard County

The Chairperson moved to adopt Council Bill No. 77-2007. Her motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 77-2007 as follows: *(This amendment requires a petition to indicate if the circulator of the petition is paid to do so.)*

On the Title page, in the purpose paragraph, at the end of the second line after the semi-colon, insert “requiring a petition to include a certain statement if the person who is circulating the petition is reimbursed or paid to do so;”

On page 1, at the end of line 16, insert the following:

“Subsection (d) of Section 10.401 “Form of Petition” of Subtitle 4 “Referendum Procedures” of Title 10 “Elections and Election Districts” of the Howard County Code is added to read as follows:

Section 10.402. Form of petition.

(D) IF THE PERSON CIRCULATING THE PETITION IS BEING REIMBURSED FOR EXPENSES OR IS PAID TO CIRCULATE THE PETITION, THE PETITION MUST SO STATE ON EACH PAGE. THE STATEMENT SHALL BE TYPED IN NO SMALLER THAN 8-POINT BOLD PRINT.

Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that

Also on page 2, in line 11, strike “2” and substitute “3”.

Her motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Amendment No. 1 to Council Bill No. 77-2007 as follows: *(This amendment deletes the references to reimbursement and clarifies which documents must disclose the circulator’s status.)*

In line 3, strike “reimbursed or”.

In line 7, strike “(d)” and substitute “(a)”.

Strike lines 12 to 14 in their entirety and substitute:

“(a) A petition may consist of several papers but each paper shall contain a fair summary of the act or the part of the act petitioned upon AND A COMPLETED STATEMENT OF WHETHER OR NOT THE PERSON PROCURING SIGNATURES HAS BEEN PAID TO DO SO; and there shall be on each such paper an affidavit of the person procuring the signatures thereon that each signature thereon was affixed in the presence of the affiant and that to the best of his knowledge, information and belief, signers are registered voters of the State of Maryland in Howard County as set forth with their names.”

Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment to the amendment was:
Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.
Amendment No. 1 to Amendment No. 1 to Council Bill No. 77-2007 passed.

The roll call vote called by the Chairperson on Amendment No. 1 as amended was: Yea:
Council Members Watson, Ball, Fox, Sigaty and Terrasa.
Amendment No. 1 to Council Bill No. 77-2007 passed.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.
Council Bill No. 77-2007 passed as amended.

Council Bill No. 78-2007 – Establishing an Environmental Sustainability Board; providing for the membership, chair, and staffing of the Board; providing for the duties and responsibilities of the Board; requiring the Board to submit a certain annual report to the County Executive and to the County Council; providing the expiration dates of the terms of the initial members of the Board; and generally relating to the Environmental Sustainability Board

The Chairperson moved to adopt Council Bill No. 78-2007. Her motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 78-2007 as follows: *(This amendment requires the Board to also make recommendations to the County Council.)*

On page 3, in line 6, after “EXECUTIVE” insert “AND THE COUNTY COUNCIL”.

Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 1 was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Bill No. 78-2007 passed.

The Chairperson moved to adopt Amendment No. 2 to Council Bill No. 78-2007 as follows: *(This amendment corrects the term of the initial student member.)*

On page 4, in line 7, strike “*June 1*” and substitute “May 31”.

Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on Amendment No. 2 was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 2 to Council Bill No. 78-2007 passed.

The roll call vote called by the Chairperson on the bill as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 78-2007 passed as amended.

Council Bill No. 79-2007 (ZRA-89)– Introduced by The Chair at the request of LDG, Inc. - Amending the Howard County Zoning Regulations to permit BR (Business Rural) zoning districts to be established on local roads, under certain circumstances; and generally relating to the BR (Business Rural) zoning district

The Chairperson moved to adopt Council Bill No. 79-2007. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the bill was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Bill No. 79-2007 passed.

Council Bill No. 80-2007 (ZRA-86) – Introduced by The Chair at the request of St. John Properties - Amending the Howard County Zoning Regulations to permit Flex Space in the POR zoning district by right in certain circumstances; and generally relating to Flex Space uses.

The Chairperson moved to adopt Council Bill No. 80-2007. Her motion was seconded by Ms. Sigaty.

The Chairperson moved to suspend the rules to allow the introduction of an amendment that was not prefiled. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion to suspend the rules passed.

The Chairperson moved to adopt Amendment No. 1 to Council Bill No. 80-2007 as follows: *(This amendment would permit flex space developments to be built by right on any POR property located within 1500 feet of an interstate highway ramp).*

On page 1, in lines 17 through 19, strike “ABUTS ON A RAMP OF I-70 AND IS WITHIN THE NO PLANNED SERVICE AREA OF THE HOWARD COUNTY WATER AND SEWERAGE MASTER PLAN,” and substitute “IS WITHIN 1500 FEET OF AN INTERSTATE HIGHWAY RAMP,”.

Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Bill No. 80-2007 passed.

The Chairperson moved to determine that Amendment No. 1 to Council Bill No. 80-2007 is substantive. Her motion was seconded by Mr. Fox.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion passed.

The Chairperson moved to table Council Bill No. 80-2007 as amended. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion to table Council Bill No. 80-2007 passed.

Council Resolution No. 132-2007 – Introduced by Mary Kay Sigaty and Jennifer Terrasa - Creating a task force to study public engagement in the Howard County land use planning processes.

The Chairperson moved to adopt Council Resolution No. 132-2007. Her motion was seconded by Ms. Sigaty.

The Chairperson moved to adopt Amendment No. 1 to Council Resolution No. 132-2007 as follows: *(This amendment would clarify the charge of the task force and make the timeframe language consistent with the language in the task force’s charge.)*

On page 1, strike lines 22 through 27, in their entirety, and substitute:

“1. EXAMINE CURRENT OPPORTUNITIES FOR PUBLIC ENGAGEMENT IN THE LAND PLANNING PROCESS, IDENTIFY OPPORTUNITIES FOR CLARIFYING AND IMPROVING PUBLIC PARTICIPATION, AND RECOMMEND POTENTIAL LEGISLATIVE ACTIONS AND ADMINISTRATIVE CHANGES.”.

On page 2, in line 4, after “potential” strike the remainder of the sentence, and substitute, “LEGISLATIVE ACTIONS AND ADMINISTRATIVE CHANGES.”.

Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the amendment was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Amendment No. 1 to Council Resolution No. 132-2007 passed.

The roll call vote called by the Chairperson on the resolution as amended was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 132-2007 passed as amended.

Council Resolution No. 133-2007 – Pursuant to Section 4.201 of the Howard County Code declaring that certain real property containing 0.232 acres owned by Howard County, Maryland and located at 12240 Maryland Route 108 in Clarksville, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to convey the property to the State of Maryland; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to convey the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration

The Chairperson moved to adopt Council Resolution No. 133-2007. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 133-2007 passed.

Council Resolution No. 134-2007 – Pursuant to Section 4.201 of the Howard County Code declaring that a 30-foot Water, Sewer and Utility Easement held by the County on property owned by Mission Road Investors, LLC, located at 8110 Washington Boulevard in Jessup, is no longer needed by the County for public purposes; authorizing the County Executive to terminate the easement interest, vesting title to the fee simple owner, Mission Road Investors, LLC; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to terminate the easement if he finds that it may have a further public use and submits his finding to the County Council for its consideration

The Chairperson moved to adopt Council Resolution No. 134-2007. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 132-2007 passed.

Council Resolution No. 135-2007 – Pursuant to Section 4.201 of the Howard County Code declaring that a 30-foot Water, Sewer and Utility Easement held by the County on property owned by Mission Road Investors, LLC, located at 8126 Washington Boulevard in Jessup, is no longer needed by the County for public purposes; authorizing the County Executive to terminate the easement interest, vesting title to the fee simple owner, Mission Road Investors, LLC; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to terminate the easement if he finds that it may have a further public use and submits his finding to the County Council for its consideration

The Chairperson moved to adopt Council Resolution No. 135-2007. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 135-2007 passed.

Council Resolution No. 136-2007 – Approving the terms and conditions of a First Amendment to Payment in Lieu of Taxes Agreement by and between ODC Crossing, LLLP and Howard County, Maryland for a multi-family rental housing project known as Orchard Crossing Apartments

The Chairperson moved to adopt Council Resolution No. 136-2007. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the resolution was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

Council Resolution No. 136-2007 passed.

Council Resolution No. 137-2007 – Pursuant to the Howard County Cable Televisions Systems Franchise Act, denying an application received from Ellicott City Cable Company for a secondary cable television franchise in Taylor Village.

Council Resolution No. 138-2007 – Pursuant to the Howard County Cable Televisions Systems Franchise Act, denying an application received from Ellicott City Cable Company for a secondary cable television franchise in Waverly Woods

The Chairperson moved to withdraw Council Resolution No. 137-2007 and Council Resolution No. 138-2007. Her motion was seconded by Ms. Sigaty.

The roll call vote called by the Chairperson on the motion to withdraw the resolutions was: Yea: Council Members Watson, Ball, Fox, Sigaty and Terrasa.

The motion to withdraw Council Resolution No. 137-2007 and Council Resolution No. 138-2007 passed.

ADJOURNMENT

The Chairperson adjourned the legislative session at 8:00 p.m.

TABLED LEGISLATION

Council Bill No. 80-2007 (ZRA-86) – Introduced by The Chair at the request of St. John Properties - Amending the Howard County Zoning Regulations to permit Flex Space in the POR zoning district by right in certain circumstances; and generally relating to Flex Space uses. (*Tabled as amended 12/03/07*)

Council Resolution No. 130-2007 – Confirming the appointment of Laura Smit to the Alcohol & Drug Abuse Advisory Board
